

BERESKIN &amp; PARR

BOX 401, 40 KING STREET WEST, TORONTO, ONTARIO, CANADA M5H 2Y2  
PHONE (416) 366-7311 • FAX (416) 361-1286 • [WWW.BERESKINPARR.COM](http://WWW.BERESKINPARR.COM)

PTO/SB/01A (10-00)

Approved for use through 10/31/2002 OMB 0651-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

As the below named inventor(s), I/we declare that:

This declaration is directed to:

The attached application, or  
 Application No. 09/600,125, filed on July 12, 2000,  
 as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one: R. C. WarringtonSignature: \_\_\_\_\_ Citizen of: CanadaInventor two: Canada Trust, Legal Representative of I. Alick Paterson (See attached addendum page)Signature: B. Kennedy Brenda Kennedy Canada  
K. Rogers Kevin Rogers CanadaInventor three: Alan A. BoultonSignature: \_\_\_\_\_ Citizen of: Canada

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

 Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.10. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

APPROVED AS TO FORM  
AND CONTENT

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY  
FOR SIGNING BY ADMINISTRATOR(TRIX), EXECUTOR(TRIX)  
OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED  
OR INCAPACITATED INVENTOR (37 CFR 1.42 AND 1.43 and 1.497(b)(2))**

The Canada Trust Company, Executor of the Estate of Ian Alick Paterson (deceased), hereby declare that it is a Canadian Company residing at 170 Second Avenue, Saskatoon, Saskatchewan, S7K 1K5, Canada (formerly residing at Suite 800, 421 7th Avenue, Calgary, Alberta, T2P 3Y9 Canada) and that this form and the attached declaration is being executed and signed as the Executor of:

Ian Alick Paterson  
Full name of deceased inventor

United Kingdom  
Country of citizenship of deceased inventor

820 - 12 Street East Saskatoon, Saskatchewan, Canada S7N 0H7  
Residence of deceased inventor

SAME AS ABOVE  
Post Office Address of deceased inventor

That, upon information and belief, The Canada Trust Company avers those facts that the inventor is required to state.

Date April 25, 2001

B Kennedy

Name: Brenda Kennedy  
Title: Senior Trust Officer  
Authorized signing officer of The Canada  
Trust Company, signing on behalf of,  
**The Canada Trust Company**  
Executor of the Estate of Ian Alick Paterson  
(also known as I. Alick Paterson)  
(deceased)

Date April 25, 2001

KR

Name: Kevin Rogers  
Title: Estate Counsellor  
Authorized signing officer of the Canada Trust  
Company, signing on behalf of  
**The Canada Trust Company**  
Executor of the Estate of Ian Alick Paterson  
(also known as I. Alick Paterson)  
(deceased)

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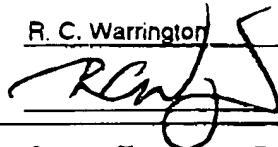
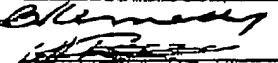
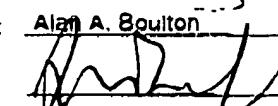
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All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

## FULL NAME OF INVENTOR(S)

Inventor one: R. C. WarringtonSignature:  Citizen of: CanadaInventor two: Canada Trust, Legal Representative of I. Alick PatersonSignature:  Citizen of: CanadaInventor three: Alan A. BoultonSignature:  Citizen of: Canada

Inventor four: \_\_\_\_\_

Signature: \_\_\_\_\_ Citizen of: \_\_\_\_\_

 Additional inventors are being named on \_\_\_\_\_ additional form(s) attached hereto

**Burden Hour Statement:** This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

APPROVED AS TO FORM  
AND CONTENT

**STATEMENT**

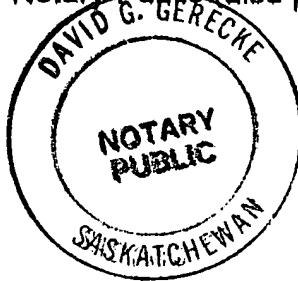
I, David Gerecke, whose full post office address is  
600-123 2nd Ave S, Saskatoon, SK, Notary Public in and  
for the Province of Saskatchewan declare and say:

That the signatures on the attached declaration for US Patent Application No. 09/600,125 and "Added Page to Combined Declaration..." is the signature of Brenda Kennedy, Senior Trust Officer for the Canada Trust Company, Executor of the Estate of I. Alick Paterson and Kevin Rogers, Estate Counsellor for the Canada Trust Company, Executor of the Estate of I. Alick Paterson both of whom are personally known to me and both of whom have the authority to sign on behalf of the Canada Trust Company (as an authorized representative), Executor of the Estate of I. Alick Paterson and acknowledged to me that by their signatures in the said instruments the persons, or the entity upon behalf of which the persons acted, executed the instrument.

Signed at Saskatoon this 25 day of April, 2001.

Witness my hand and official seal

\_\_\_\_\_  
Signature of Notary Public (also place Notary Seal)



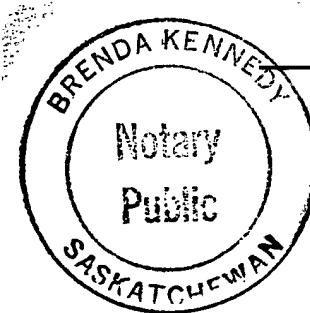
**STATEMENT**

I, Brenda Kennedy, whose full post office address is  
170 - 2nd Ave South, Saskatoon, Sask S7K 1K5 Notary Public in and  
for the Province of Saskatchewan declare and say:

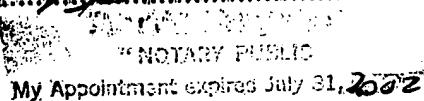
That the signature on the attached declaration for US Patent Application No. 09/600,125 and "Added Page to Combined Declaration..." is the signature of Kevin Rogers, Estate Counsellor for the Canada Trust Company, Executor of the Estate of I. Alick Paterson who is personally known to me and who has the authority to sign on behalf of the Canada Trust Company (as an authorized representative), Executor of the Estate of I. Alick Paterson and acknowledged to me that by his signature in the said instruments the person, or the entity upon behalf of which the person acted, executed the instruments.

Signed at Saskatoon this 25 day of April, <sup>2001</sup>  
2000. *ML*

Witness my hand and official seal



*B. Kennedy*  
Signature of Notary Public (also place Notary Seal)



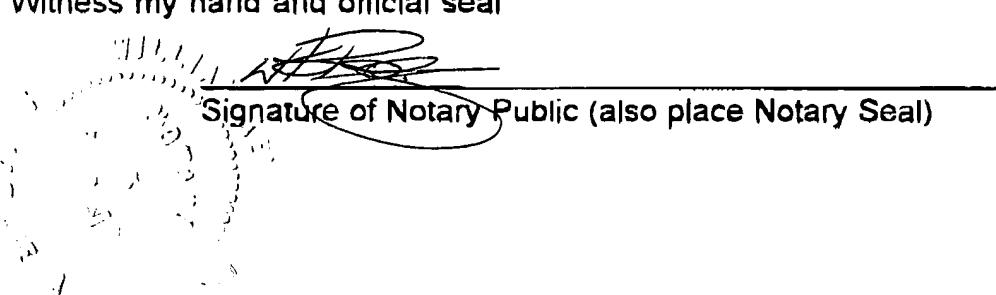
STATEMENT

I, Kevin Rogers, whose full post office address is  
170 2<sup>nd</sup> AVENUE S, SASKATOON, SK Notary Public in and  
for the Province of Saskatchewan declare and say:

That the signature on the attached declaration for US Patent Application No. 09/600,125 and "Added Page to Combined Declaration..." is the signature of Brenda Kennedy, Senior Trust Officer for the Canada Trust Company, Executor of the Estate of I. Alick Paterson who is personally known to me and who has the authority to sign on behalf of the Canada Trust Company (as an authorized representative), Executor of the Estate of I. Alick Paterson and acknowledged to me that by her signature in the said instruments the person, or the entity upon behalf of which the person acted, executed the instruments.

Signed at SASKATOON, SK this 25 day of APRIL, 2000 *MEF*

Witness my hand and official seal

  
Signature of Notary Public (also place Notary Seal)